

The Honorable Ronald B. Leighton

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

WASHINGTON STATE EMPLOYEES )  
CREDIT UNION, a Washington )  
corporation, )  
Plaintiff, )  
v. )  
P/C M T POCKETS, Official Number )  
537196, her engines, tackle, apparel, )  
furniture and equipment, *In Rem*, and )  
JOHN J. MCMILLEN and MICHELLE )  
M. MCMILLEN, his wife, and their )  
marital community, *In Personam*, )  
Defendants. )

IN ADMIRALTY

NO. C10-5379-RBL

DEFAULT JUDGMENT *IN REM*,  
JUDGMENT FORECLOSING  
PREFERRED MARINE MORTGAGE  
AND ORDER OF SALE

THIS MATTER came on regularly upon the motion of plaintiff, and the Court, having considered the records and files herein and the affidavit of counsel submitted with the motion, and an Order of Default having been entered, now makes the following findings:

1. Plaintiff is entitled to a Default Judgment against the defendant

1 vessel, no answer or statement of right or interest having been filed; and

2         2.       Plaintiff's claim under its preferred marine mortgage is superior to  
3 that of any other claimant.

4                 NOW THEREFORE, IT IS

5                 ORDERED that the preferred marine mortgage on the P/C M T  
6 POCKETS, Official Number 537196, her engines, tackle, apparel, furniture and  
7 equipment, in favor of Washington State Employees Credit Union, is foreclosed; and  
8 it is further

9                 ORDERED that Washington State Employees Credit Union shall have  
10 judgment against the P/C M T POCKETS, Official Number 537196, her engines,  
11 tackle, apparel, furniture and equipment *In Rem* for \$105,844.84, plus interest at  
12 the rate of \$23.92 per day from April 14, 2010 through the date of entry of this  
13 judgment, plus attorneys' fees and costs and administrative expenses as  
14 subsequently approved by the Court; and it is further

15                ORDERED that the judgment granted shall bear interest at the federal  
16 rate from the date of granting of this judgment until paid; and it is further

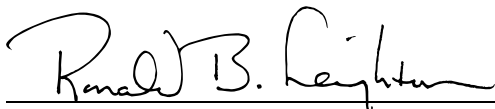
17                ORDERED that the U. S. Marshal shall, pursuant to the rules of the  
18 United States District Court for the Western District of Washington, cause the P/C  
19 M T POCKETS, Official Number 537196, her engines, tackle, apparel, furniture and  
20 equipment, to be condemned and sold at public auction to the highest and best  
21 bidder, the sale to be held alongside the vessel on a date and at a time satisfactory  
22 to the U. S. Marshal to be determined after entry of this Order; and it is further

23                ORDERED that at such sale, Washington State Employees Credit  
24 Union, plaintiff, is authorized to bid in any part of the judgment and accrued  
25 interest here awarded without cash deposit, and that, in the event the bid of

1 Washington State Employees Credit Union, plaintiff, is the highest and best bid, the  
2 amount of such bid shall be credited on the judgment here awarded; and it is  
3 further

4 ORDERED that the U. S. Marshal shall deposit the proceeds of the  
5 sale, if any, in the Registry of the Court and the Clerk shall, after having paid all  
6 costs and administrative expenses as approved by subsequent Order, pay to  
7 Washington State Employees Credit Union, plaintiff, so much of the balance  
8 remaining as is necessary to satisfy the judgment here awarded, and the clerk shall  
9 retain the remainder of the proceeds, if any, in the Registry of the Court subject to  
10 further Order.

11  
12 DATED this 30<sup>th</sup> day of August, 2010.

13  
14 

15 RONALD B. LEIGHTON  
16 UNITED STATES DISTRICT JUDGE

17  
18 Presented by:

19 /s/ \_\_\_\_\_  
20 Stan Loosmore, WSBA #6011  
21 Attorney for Plaintiff

22 Approved by:

23 /s/ \_\_\_\_\_  
24 for U. S. Marshal  
25 Western District of Washington

227-10011-8p